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SUBJECT: Ghana Refugee Update

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1. (SBU) SUMMARY: On January 16, 2009, PRM (Bureau of Population, Refugees, and Migration) Africa Office Director, PRM/AFR West Africa Program Officer, and Accra Refugee Coordinator and Refugee Assistant visited the Krisan Refugee Camp and the Buduburam Refugee Settlement in the company of UNHCR/Ghana and the Ghana Refugee Board (GRB). For PRM/AFR, this was part of a five-country mission to assess (inter alia) the prospects for local integration of Liberians and Sierra Leoneans as a durable solution to their refugee status. The PRM team found that Ghana is lagging behind its neighbors in implementing effective local integration strategies for refugees as envisioned under ECOWAS protocols. As elsewhere in the region, residual Liberian refugees (and some residual Sierra Leoneans) are holding rather steadfastly on to the unrealistic hope that they will be resettled in a third country - specifically the United States. The Ghana government has not yet made fundamental decisions regarding legal status, social integration or facilitating economic self-sufficiency for the refugees who have (in the case of the Sierra Leoneans) or will (in the case of the Liberians) lose their prima facie refugee status through invocation of the "cessation clause" (in the refugee conventions). The Ghana Refugee Board (GRB) did not fully clarify the government's intentions regarding the Buduburam Refugee Settlement, but indicated that the GOG still intends to close the settlement and disperse the refugees, although it has no operational or logistical plan to do so. The GRB further intimated that GOG security services may "sanitize" the camp to address concerns about idle young men who may be ex-combatants and/or involved in drug or other criminal trade. END SUMMARY

Liberians in Buduburam: Should I stay or should I go now?

2. (U) With the anticipated invocation of the cessation clause and the end of large-scale resettlement programs for Liberians, combined with the use of DNA in the P3 family reunification program, Liberians must choose between repatriation to Liberia or local integration. Should they reject both options, and cessation is invoked, Liberians would become illegal migrants subject to Ghanaian immigration law.

3. (U) Repatriation: Per the terms of the Tripartite Agreement signed by UNHCR and the governments of Liberia and Ghana last year after the troubles in Buduburam, assisted repatriation for Liberians will continue extraordinarily until March 31, 2009. Since re-opening the assisted repatriation in April 2008 (it had officially closed at the end of June 2007), UNHCR has returned 8,795 Liberian refugees to Liberia. Others returned on their own; some registered with UNHCR in Liberia on arrival, and others did not. Consequently, neither UNHCR nor the GRB has an accurate count of the Liberian refugees remaining in Ghana or the number living in the Buduburam settlement. UNHCR's ProGress database lists some 14,000 persons remaining. UNHCR is conducting a re-verification exercise this month (January) to determine the actual number of refugees

remaining in Ghana. The GoG seems to be waiting for this number before deciding whether and how to proceed with local integration.

14. (U) Local Integration: UNHCR/Ghana is working on a local integration strategy in concert with UNHCR's regional strategy for the local integration of Liberian and Sierra Leonean refugees in seven countries - Liberia, Sierra Leone, Cote d'Ivoire, Guinea, Ghana, the Gambia, and Nigeria. The local integration strategy has two components: one is to secure a legal residence status (other than refugee status) for former refugees, the second is to ensure economic self-reliance through ensuring access to social and economic rights equal to those enjoyed by the host community. Other ECOWAS countries hosting Liberian and Sierra Leonean refugees have made progress on both these tracks, offering permanent resident status and access to services, and some even offering the ability to naturalize.

15. (U) UNHCR/Ghana has been advocating for government to issue three-year residence permits to refugees who opt for local integration and obtain passports from their respective embassies (effectively renouncing their refugee status). The GoG has confirmed that Liberians will have the right to apply for residence and work permits, but has not indicated that they would give any special consideration to make it easier for those Liberians who do apply for residence. Normally, under GOG policy governing residence permits, an individual must make an exceptional contribution to the country, have matrimonial or parental ties to a Ghanaian national, have an employer willing to sponsor the work permit, or have \$10,000 invested in a business (for those who are self-employed). Few Liberians or Sierra Leoneans meet these standards. Many Liberians technically qualify for residence through family ties, by virtue of

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having a Ghanaian spouse or parent. UNHCR has so far assisted only a handful of skilled professionals in obtaining work permits, and does not have information on how many refugees have successfully secured family-based residence.

16. (U) To promote self reliance, UNHCR, in collaboration with UNIDO, is providing some 250 refugees with skills training (e.g., in construction and computers) and will provide start-up tools to begin work using those skills. In collaboration with FAO, UNHCR has identified 100 households with an interest in receiving assistance in small-scale farming. UNHCR is also advocating for Liberians to be allowed to register for the National Health Insurance scheme and to pay the same rates as Ghanaians. Refugees in Krisan and the Volta have registered; negotiations regarding Liberians in Buduburam are continuing.

17. (U) UNHCR/Ghana is working to improve the capacity of potential host communities to potentially continue to host refugees. In Buduburam town (outside the settlement), UNHCR has recently built an extension of the primary school, installed water stand pipes in the host community and built 20 family latrines. Near Krisan, UNHCR has recently provided two boreholes and plans to construct two more in 2009.

18. (U) During a meeting with the Liberian Refugee Welfare Council in Buduburam, the refugees asked for concrete information about what local integration actually entails so they can make an informed decision on whether to return to Liberia. In previous meetings with the Council, UNHCR had raised refugees' expectations by announcing to the Refugee Welfare Committee that UNHCR was negotiating with the GoG to secure 3-year renewable residence permits and the right to access health care through the national health insurance scheme. In the January 16 meeting, both the GRB and UNHCR were forced to admit that many decisions on status had not yet been made, and they were therefore unable to provide information about legal residence, assistance with shelter or provision of land, or economic assistance. [Comment: In this "chicken and egg" situation where the GOG is not making decisions until it knows how many of the Liberians are going to opt to stay and the Liberians are not making decisions about returning home or staying until they know what local integration looks like, there are bound to be delays in moving forward. End comment.]

Plans to Close and Sanitize Buduburam Refugee Settlement

¶9. (U) The program of voluntary assisted repatriation of Liberians is scheduled to end on March 31, 2009. According to the original agreement, Ghana will close the Buduburam settlement, disperse the refugees into communities throughout Ghana, and return the land to the legal ownership of the local government. The details, including the date for closure, are still unclear. The GRB did not comment on any plans to effect this closure and has not approached UNHCR for assistance. It appears that government does not have an operational or logistical plan to move thousands of people from the settlement, transport them throughout Ghana, and settle them into host communities.

¶10. (SBU) Both UNHCR and GRB stressed that security is the principal reason for planning closure of Buduburam - a settlement that was an isolated spot some 20 years ago but that is now part of the extended strip development of greater Accra, marked by a road sign that is barely visible among all of the other signs advertising this and that business. The GRB said that the number of idle young men, including former combatants and others who are suspected of being in the drug or other criminal trades, constitutes a security threat to Ghana. The GRB indicated the security services may "sanitize" the settlement. [Comment: Although this was not elaborated upon, this could include arrests and detentions with or without a legal basis and resulting in possible refoulements of recognized refugees. End Comment.]

Krisan Refugee camp "De-population"

¶11. (U) According to its 2008 Country Operations Plan, UNHCR/Ghana was to have closed the Krisan refugee camp, hosting some 1,400 refugees before the end of 2008. UNHCR had planned to relocate the remaining Liberians to Buduburam and facilitate durable solutions, including resettlement for non-Liberians. Among the reasons for the delay, is that UNHCR Ghana again fell short of the country target for resettlement referrals, submitting only 248 individuals toward the target of 450, and thus not diminishing the numbers in Krisan as much as had been hoped. The GRB clarified that the camp will not be closed, but will be "de-populated" and will remain available as a refugee camp in the case of a future influx - from Cote d'Ivoire which continues to be a worry of those in Ghana. The population in Krisan (excluding those on resettlement programs and pending

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departure) is now just under 1,000. The population includes 325 Liberians, 133 Sierra Leoneans, 210 Sudanese (both Southern and Darfuri), 248 Togolese and smaller numbers from Rwanda, Chad, the Democratic Republic of Congo, the Republic of Congo, and Cote d'Ivoire. As in Buduburam, a meeting with the Liberian and Sierra Leonean refugee communities largely entailed their call for resettlement in the United States.

Sierra Leonean Refugees?

¶12. (U) The cessation clause for Sierra Leonean refugees went into effect on December 31, 2008. In the absence of mandate refugee status, any Sierra Leonean who believed that he or she had a continued refugee claim was required to apply for an exemption to cessation in order to maintain refugee status. Sierra Leoneans who did not apply would be subject to Ghanaian immigration law. Of the 134 refugees remaining in Ghana (all at Krisan), 131 applied for exemption, UNHCR did not know what happened to the other 3. Of the 131 who applied, 66 were approved for continued refugee status by the GOG and 65 were rejected. Those who were rejected have the right to appeal and to remain in Ghana pending the resolution of their appeal. Ghana lacks an effective appeals process for rejected asylum seekers, and the decision could potentially take years. But, should those appeals be rejected, the individual would be subject to Ghanaian immigration law and would need go to the Ghana Immigration Service to apply for residence or be subject to deportation.

¶13. (U) The GRB, which has typically been headed by retired UNHCR staff of Ghanaian nationality who seek to ensure that their home government abides by international refugee principles as well as

tenets of basic humane treatment, said it had approved continued refugee status for some individuals who were enrolled in ongoing skills training but who did not actually qualify for continued refugee status on the basis of persecution. [Comment: The GRB may have had good intentions to protect these individuals and allow them to finish up their programs being financed by UNHCR; however, this runs counter to efforts to create a transparent, law-based asylum system in Ghana. This also prevents the conversion to a viable non-refugee status, and circumvents the Ghana Immigration Service which must be involved in any regularization of status. This also continues to count non-refugees among the beneficiary population, counter to the expectations of the donor community. End comment.]

Conclusions and Comments

¶14. (U) Liberians (and some Sierra Leoneans) in all of the asylum countries that the PRM team visited continue to hold on to the unrealistic hope that they will be resettled in the United States and have talked themselves into believing that all news from Liberia is bad and that their collective recitation of abuses suffered over the years will ultimately lead to their resettlement. In public they reject local integration as well as repatriation, believing that accepting a durable solution will foreclose their chances for resettlement. They are not entirely prepared yet to focus on the fact that once the cessation clause is invoked, they will for the most part cease to be refugees and that no durable refugee solutions will be on the table any more. UNHCR/Ghana and the GRB tend to focus on resettlement as the primary impediment to local integration or repatriation, but lack of information about just what local integration would entail may also be part of the problem. While Liberians do hope for resettlement, most will likely carefully calculate their decision between repatriation and integration when it becomes even more clear over time that they are not going to be resettled.

¶15. (SBU) Repatriation to Liberia will continue until March 31, 2009 but decisions on what happens after to refugees or to Buduburam settlement have not yet been made. With no reparation in place, it is very unlikely that Ghana will disperse the entire residual population. The government is not likely to agree to give the Liberians residence permits, but neither would Ghanaians be likely to voice a rejection of the local integration proposal, particularly while the communities are receiving UNHCR assistance. It is very possible that the GOG security services will address the government's security concerns by "sanitizing" Buduburam by arresting idle young men who may be ex-combatants. It is also likely that the Sierra Leoneans rejected for continued refugee status and now trying to appeal will remain without a final decision, protecting them from refoulement, but keeping them in a legal limbo. A similar future is likely for the Liberians as well once the cessation clause is invoked. UNHCR/Ghana and the GRB will need to move more smartly to operationalize a local integration effort before the international donor community decides that it is finished with Liberian and Sierra Leonean refugees and ends its funding.

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